

Respondent Name
Amy Falcone
Complainant Name
Bradley J. Williamson
Complaint Description
<p><u>Brad.williamson</u> reported via the portal Fri, 25 Oct 2019 at 7:56 PM</p> <p>This candidate who is running for Kirkland City Council position 6, also in her capacity as an appointed commission member to the city human services commission, accepted a ride-along from Kirkland Police purely for the purpose of political gain as shown by the attached Facebook post.</p> <p>Since then, this Facebook post from her page https://www.facebook.com/AmyFalconeForKirklandCityCouncil/ has since been deleted after I mentioned this to the city (mail from Mayor Penny Sweet is attached).</p> <p>I view this to be a violation of RCW 42.17A.555 where a person appointed to a public office or agency used the facilities of an agency for campaign.</p> <p>Additionally, the picture is a campaign ads containing public (police) vehicles and is viewed as KPD endorsing Amy Falcone as evidenced by the text "Grateful for KPD" and the political campaign logo incorporated in the picture.</p> <p>Re_ Potential ethics violation between KPD and Amy Falcone_.msg 916.99 KB</p> <p>RE_Police_Exec_Board_follow_up_w_Council.msg 174.08 KB</p> <p>Re_Thank_you!.msg 10.63 MB</p> <p>image.png 557.51 KB</p>
What impact does the alleged violation(s) have on the public?
Perception that a city police agency is endorsing a candidate for council, when in fact they are not.
List of attached evidence or contact information where evidence may be found
<ol style="list-style-type: none"> 1. Image of Facebook post which is now taken down. 2. Emails (obtained through City of Kirkland, Public Records) of her being introduced to KPD as a council candidate and her accepting the ride along for political gain.
List of potential witnesses with contact information to reach them

Certification (Complainant)

I certify (or declare) under penalty of perjury under the laws of the State of Washington that information provided with this complaint is true and correct to the best of my knowledge and belief.



Amy Falcone for Kirkland City Council

@AmyFalconeForKirkland
CityCouncil

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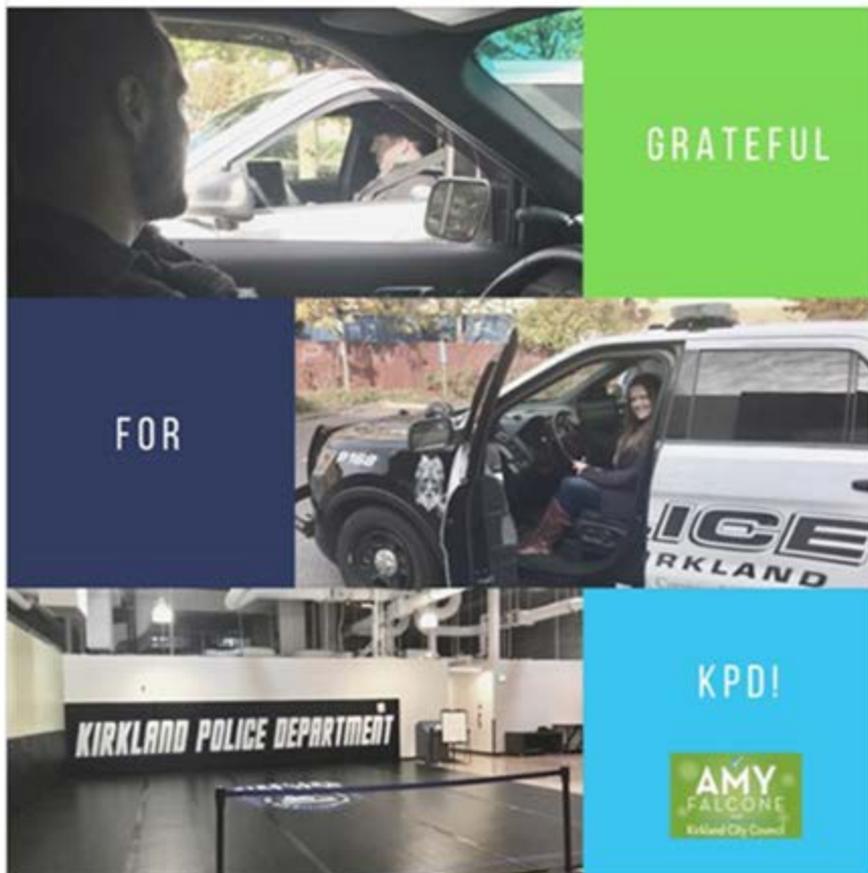
Amy Falcone for Kirkland City Council



October 18 at 3:39 PM · 🌐

Earlier this week I had the opportunity to ride along with Officer Mike Lisenby of the [City of Kirkland Police Department](#). I was thankful for this opportunity to learn more about the important work that our KPD does firsthand. I toured the Justice Center and rode with Officer Lisenby on his patrol around the city and on responses to 911 calls. This experience highlighted the growing behavioral health need in our community and the vital role of first responders. I am appreciative of the brave police officers who work so hard to keep us safe.

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Tabatha Blacksmith

From: Penny Sweet <PSweet@kirklandwa.gov>
Sent: Monday, October 21, 2019 7:57 AM
To: Brad Williamson; Kurt Triplett; Cherie Harris; Kevin Raymond
Subject: Re: Potential ethics violation between KPD and Amy Falcone.

Brad, I contacted Ms. Falcone and asked her to take the post down subject to our review. Penny

Sent from my Verizon, Samsung Galaxy smartphone
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From: Brad Williamson <brad.williamson@outlook.com>
Sent: Sunday, October 20, 2019 7:55:16 PM
To: Kurt Triplett <KTriplett@kirklandwa.gov>; Cherie Harris <CHarris@kirklandwa.gov>; Penny Sweet <PSweet@kirklandwa.gov>; Kevin Raymond <KRaymond@kirklandwa.gov>
Subject: RE: Potential ethics violation between KPD and Amy Falcone.

As a follow up, it appears that Ms. Falcone has removed the post from her FB page (<https://www.facebook.com/AmyFalconeForKirklandCityCouncil/>), which I find very interesting that this happened after I started this mail.

Brad.

From: Brad Williamson
Sent: Sunday, October 20, 2019 5:21 PM
To: 'Kurt Triplett' <KTriplett@kirklandwa.gov>; Cherie Harris <CHarris@kirklandwa.gov>; Penny Sweet <PSweet@kirklandwa.gov>; Kevin Raymond <KRaymond@kirklandwa.gov>
Subject: RE: Potential ethics violation between KPD and Amy Falcone.

Dear Mr. Triplett,

Thanks for getting back to me so quickly. I look forward to your response.

Regards,
Brad Williamson.

From: Kurt Triplett <KTriplett@kirklandwa.gov>
Sent: Sunday, October 20, 2019 5:03 PM
To: Brad Williamson <brad.williamson@outlook.com>; Cherie Harris <CHarris@kirklandwa.gov>; Penny Sweet <PSweet@kirklandwa.gov>; Kevin Raymond <KRaymond@kirklandwa.gov>
Subject: RE: Potential ethics violation between KPD and Amy Falcone.

Mr. Williamson – Thank you for your email. The City has a process for reviewing ethics complaints. Kirkland contracts with the Seattle Ethics and Elections Commission to review complaints involving Councilmembers and Board and

Commission members. Kevin Raymond, the City Attorney (now added to this email), Chief Harris and I will discuss this tomorrow. We will provide you an update following our discussion. Here is some related background. Although not frequent, authorized civilian ride-alongs with Police and Fire units do happen periodically to create connections and understanding between community leaders and our first responders. Such a ride-along is not by itself any sort of ethics violation. State law and the Kirkland municipal code do prohibit the intentional use by a City employee of any City resource (personnel, computers, vehicles or facilities) to support or oppose any political campaign. However the issue is more complicated when a campaign uses images that are in the public domain. For example, all of the photos and images of Kirkland facilities and vehicles on our public webpage are public documents. A member of the public can request them and the City has no real control over what happens to those images afterwards. Similarly a member of the public could take a picture of Fire vehicles in the 4th of July parade and those photos would not be controlled by the City. Determining exactly what happened and how it relates to these types of issues are what I will be discussing with the City Attorney and the Chief of Police. Again, thank you for email and we will contact you again soon.

Sincerely,

Kurt Triplett
Kirkland City Manager

From: Brad Williamson <brad.williamson@outlook.com>
Sent: Sunday, October 20, 2019 3:01 PM
To: Kurt Triplett <KTriplett@kirklandwa.gov>; Cherie Harris <CHarris@kirklandwa.gov>; Penny Sweet <PSweet@kirklandwa.gov>; Kirkland Police <police@kirklandwa.gov>
Subject: Potential ethics violation between KPD and Amy Falcone.

Hello,

I would like to report a possible ethics violation between an officer(s) of the Kirkland Police Department and a candidate running for city council.

Amy Falcone who is running for Council position 6 posted on Facebook that she participated in a ride along with Ofc. Mike Lisenby. Screen shot is below.

From the post provided by Amy Falcone, this post can be perceived as KPD endorsing a political candidate, and that the ride along was **purely used for political gain** given the text Grateful for KPD and that her political campaign logo was incorporated in the picture.

As she is the co-chair of the human services commission, and the political nature of this post, I view this as a misuse of public position or resources. To quote ordinance 4348, "Officials shall not use public resources that are not available to the public in general, such as City staff time, equipment, supplies or facilities, for other than a city purpose". As such, I view this as a violation of 3.14 of the Kirkland Municipal Code. Furthermore, I view this to be in violation of RCW 42.17A.555: use of public office or agency facilities in campaigns.

Can someone from the city please investigate this potential ethics violation? If not, please provide a reason as to why this is not an ethics violation.

I will be filing a public records request concurrently to examine all records relating to this.

As a tax payer, I find this disgusting that KPD allowed public funds and resources to support a political candidate.

Thank you,
Brad Williamson.



Amy Falcone for Kirkland City Council

@AmyFalconeForKirklandCityCouncil

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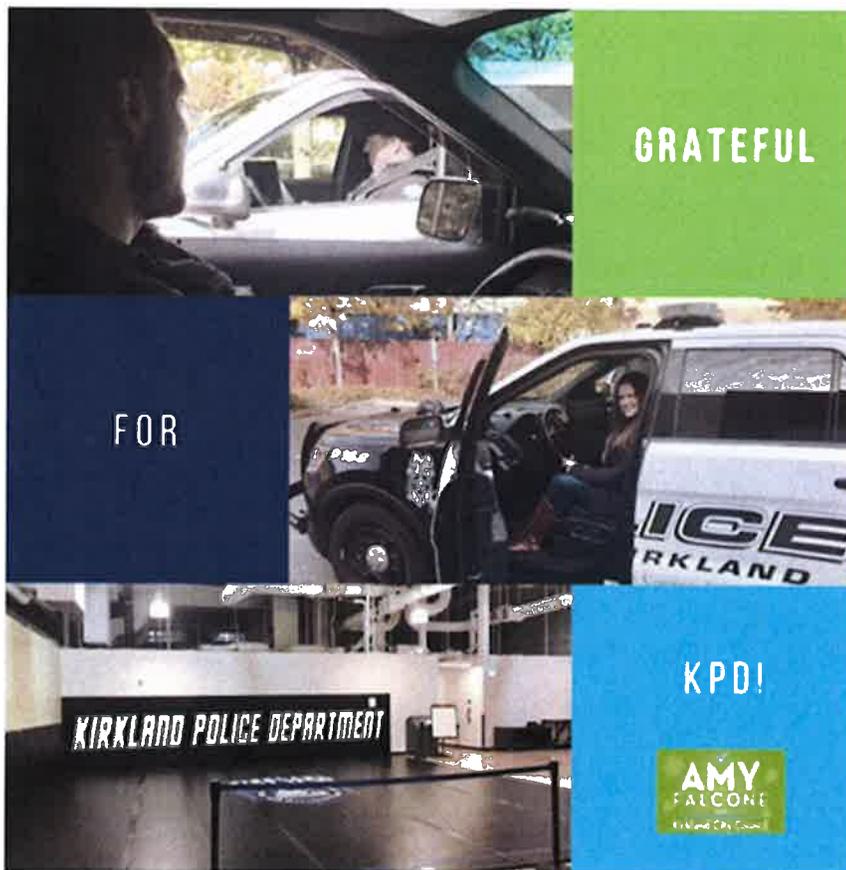
Amy Falcone for Kirkland City Council



October 18 at 3:39 PM

Earlier this week I had the opportunity to ride along with Officer Mike Lisenby of the [City of Kirkland Police Department](#). I was thankful for this opportunity to learn more about the important work that our KPD does firsthand. I toured the Justice Center and rode with Officer Lisenby on his patrol around the city and on responses to 911 calls. This experience highlighted the growing behavioral health need in our community and the vital role of first responders. I am appreciative of the brave police officers who work so hard to keep us safe.

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Tabatha Blacksmith

From: Neal Black <nblack@adkinsblack.law>
Sent: Tuesday, September 24, 2019 10:28 AM
To: Brian Frankeberger; Amy Falcone; Michael Lisenby
Subject: RE: Police Exec Board follow up w/ Council

Great. I'll plan to see everyone there. If plans change, let me know.

From: Brian Frankeberger <BFrankeberger@kirklandwa.gov>
Sent: Tuesday, September 24, 2019 8:42 AM
To: Neal Black <nblack@adkinsblack.law>; Amy Falcone <amyef81@yahoo.com>; Michael Lisenby <MLisenby@kirklandwa.gov>
Subject: RE: Police Exec Board follow up w/ Council

That works perfect for me.

Brian

From: Neal Black <nblack@adkinsblack.law>
Sent: Monday, September 23, 2019 9:47 PM
To: Amy Falcone <amyef81@yahoo.com>; Brian Frankeberger <BFrankeberger@kirklandwa.gov>; Michael Lisenby <MLisenby@kirklandwa.gov>
Subject: RE: Police Exec Board follow up w/ Council

Hi, everyone. I'm just following up on this email thread. I've gone ahead and blocked 8 AM out on my Calendar for a meeting over coffee on Friday at the Urban Coffee in Totem Lake. Let me know if that is going to work for the group. Thanks!

Neal

From: Amy Falcone <amyef81@yahoo.com>
Sent: Sunday, September 22, 2019 10:50 PM
To: Michael Lisenby <MLisenby@kirklandwa.gov>
Cc: Neal Black <nblack@adkinsblack.law>; Brian Frankeberger <BFrankeberger@kirklandwa.gov>
Subject: Re: Police Exec Board follow up w/ Council

Great! Does 8am work for everyone on Friday at Urban Coffee?

Amy E. Falcone
amyef81@yahoo.com

On Sep 19, 2019, at 3:20 PM, Michael Lisenby <MLisenby@kirklandwa.gov> wrote:

Good afternoon all!

Thank you both for your availability to meet up and Friday the 27th works just fine for myself as I will be in negotiations with Brian as well on the 26th. I really look forward to meeting with you all!

-Michael

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From: Amy Falcone <amyef81@yahoo.com>
Sent: Thursday, September 19, 2019 10:21:14 AM
To: Neal Black <nblack@adkinsblack.law>
Cc: Brian Frankeberger <BFrankeberger@kirklandwa.gov>; Michael Lisenby <MLisenby@kirklandwa.gov>
Subject: Re: Police Exec Board follow up w/ Council

Thanks Brian and Michael. Next Friday morning works for me, but I'm flexible if another time works better for you.

I look forward to meeting with you both!

Amy E. Falcone
Candidate for Kirkland City Council
Amy@AmyFalcone.org
www.AmyFalcone.org

On Sep 18, 2019, at 11:01 AM, Neal Black <nblack@adkinsblack.law> wrote:

Gotcha. How about the morning of Fri 9/27?

From: Brian Frankeberger <BFrankeberger@kirklandwa.gov>
Sent: Wednesday, September 18, 2019 10:30 AM
To: Neal Black <nblack@adkinsblack.law>; Michael Lisenby <MLisenby@kirklandwa.gov>
Cc: Amy Falcone <amyef81@yahoo.com>
Subject: RE: Police Exec Board follow up w/ Council

Coincidentally we have contract negotiations scheduled that day from 9-noon.

Brian

From: Neal Black <nblack@adkinsblack.law>
Sent: Wednesday, September 18, 2019 10:28 AM
To: Brian Frankeberger <BFrankeberger@kirklandwa.gov>; Michael Lisenby <MLisenby@kirklandwa.gov>
Cc: Amy Falcone <amyef81@yahoo.com>
Subject: RE: Police Exec Board follow up w/ Council

Thanks, Brian. Thanks, Michael. Let me throw out next Thurs 9/26 as a possible time to meet for coffee. Sometime in the morning? Urban Coffee off of 116th in Totem Lake, perhaps?

Neal

From: Brian Frankeberger <BFrankeberger@kirklandwa.gov>
Sent: Wednesday, September 18, 2019 9:42 AM

To: Neal Black <nblack@adkinsblack.law>
Cc: Amy Falcone <amyef81@yahoo.com>; Michael Lisenby <MLisenby@kirklandwa.gov>
Subject: RE: Police Exec Board follow up w/ Council

Neal and Amy,

Thanks for reaching out to me and following up with Jon. Sorry for the delayed response, I was in training for a week followed by a long weekend camping.

Meeting over coffee sounds perfect. Schedule wise, Thursdays or Fridays work best for Mike and I as these are the only days our schedules overlap right now.

Let me know if this works for you guys and we'll get something on the books soon I hope!

Brian Frankeberger

From: Neal Black <nblack@adkinsblack.law>
Sent: Thursday, September 05, 2019 8:01 PM
To: Brian Frankeberger <BFrankeberger@kirklandwa.gov>
Cc: Jon Pascal <jonpascal@comcast.net>; Amy Falcone <amyef81@yahoo.com>
Subject: Re: Police Exec Board follow up w/ Council

Adding my thanks to Jon. Thanks.

Brian, I'm generally around the next couple of weeks. Let me know some dates and times that work for you. Perhaps a meeting over coffee?

And, if it's more respectful of your time, I'm happy to join in a meeting with you and Amy.

Just let me know.

Neal Black
Candidate for Kirkland City Council | Position 5
Mobile | 425-681-9830
Email | neal@votenealblack.com
Website | votenealblack.com

On Sep 5, 2019, at 7:31 PM, Amy Falcone <amyef81@yahoo.com> wrote:

Thanks Jon.

Hi Brian - I'd love to meet up and hear more about the needs and challenges facing our KPD. Do you have any availability in the next week or two?

Best,
Amy

Amy E. Falcone
Candidate for Kirkland City Council
Amy@AmyFalcone.org
www.AmyFalcone.org

On Sep 5, 2019, at 7:18 PM, Jon Pascal
<jonpascal@comcast.net> wrote:

Brian,

It was great meeting with you, Mike and Russ this evening. I learn a lot about KPD every time we talk and find our discussions very helpful. I have CCed Amy and Neal who are running for two open seats on Council. As we discussed, I think they would be very willing to meet with you and the rest of the Police Guild leaders to learn more about our staffing needs and the challenges our department faces with all our new hires.

Best,
Jon Pascal

Sent from XFINITY Connect Mobile App

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